A 3727

7 Sess:

THE

LAWS and ACTS

Made in the SEVENTH SESSION of the FIRST

PARLIAMENT

Of Our moſt High and Dread SOVERAIGN

WILLIAM

By the Grace of GOD, *KING of* SCOTLAND, ENGLAND, FRANCE, *and* IRELAND, *Defender of the Faith.*

Holden and Begun at *EDINBURGH, July* 19. 1698.
By *PATRICK* Earl of *Marchmont*, Viſcount of *Blaſonberry*, Lord *Polwarth*, of *Polwarth Redbreas* and *Grinlaw*, and Lord High Chancellor of this Kingdom.

His *Majeſties* High Commiſſioner for Holding the ſame.
By Vertue of a COMMISSION under His *Majeſties* Great Seal of this KINGDOM.

With the ſpecial Advice and Conſent of the Eſtates of Parliament.

Collected and Extracted from the Regiſters and Records of Parliament, *by* CHARLES *Earl of* SELKIRK, &c. *Clerk to His* Majeſties *Council, Exchequer, Regiſters and Rolls*, &c.

EDINBURGH,
Printed by the Heirs and Succeſſors of *Andrew Anderſon*, Printer to His moſt Excellent *Majeſty*. Anno DOM. 1698.

CUM PRIVILEGIO.

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PARLIAMENT

Of Our moſt High and Dread SOVERAIGN

WILLIAM

By the Grace of GOD, *KING of* SCOTLAND, ENGLAND, FRANCE, *and* IRELAND, *Defender of the Faith.*

Holden at *EDINBURGH* the 19 Day of *July*. 1698.

I.

ACT Anent the Supplie of ſixteen Months Ceſs upon the Land-Rent.

July 30. 1698.

THE ESTATES OF PARLIAMENT, taking to their Conſideration, that it is Neceſſary for the Safety and Security of the Kingdom, that the Number of Forces upon the preſent Eſtabliſhment be continued for two Years after the Moneth of *November* next: And that new Supplies be given for their Maintenance. *Do* therefore conſent to the ſaid Continuance, and Humbly and Cheerfully, for themſelves, and in Name of this Kingdom whom they do Repreſent,

Make Offer to His MAJESTY of a Supply of One Million One Hundred and Fifty Two Thouſand Pounds *Scots*, extending to Sixteen Months Ceſs; Which new Supply is to be raiſed and uplifted out of the *Land* Rent of this Kingdom, in manner and conform to the Proportions of the Shires and Burghs contained in the firſt *Act, Sixt Seſſ.* of this current Parliament, dated the twenty fifth of *September* One thouſand ſix hundred Ninety ſix: And this Supply to be payed at the Terms following, *Viz.* One Moneth Ceſs at *Martinmaſs* next, and that over and above the two Moneths payable at the ſame Term of *Martinmaſs*, by the ſaid firſt *Act* of the ſixt *Seſſ.* of this Parliament; Three Moneths Ceſs at *Candleſmas* one thouſand ſix hundred Ninety nine; Two Moneths Ceſs at the Term of *Lambmas* thereafter; Two Moneths Ceſs at the Term of *Martinmaſs* thereafter; Two Moneths Ceſs at the Term of *Candleſmaſs* one Thouſand Seven Hundred; Two Moneths Ceſs at the Term of *Whitſunday* thereafter; Two Moneths Ceſs at the Term of *Lambmaſs* thereafter; And the laſt two Months Ceſs of the ſaid ſixteen Moneths, making up the foreſaid Sum of One Million, One Hundred and Fifty two thouſand Pounds at the Term of *Martinmaſs* thereafter. *And His Majeſty* Conſidering, that this Supply is granted for ſuch a neceſſary Uſe, *Doth* with Advice and Conſent of the Eſtates of Parliament, *Declare*, That no Perſon or Perſons, ſhall be exempted from payment of their Proportions of this Supply for their Lands, upon any pretence whatſoever, *Excepting* mortified Lands, and the Lands of *New-milns* belonging to the Woolen Manufactory there; For which Mortified Lands and Lands of *New-milns*, Deduction is to be allowed in the *quota* of the reſpective Shires, notwithſtanding of any former Law, Priviledge or Act of Parliament in the Contrary. And His *Majeſty* with Advice and conſent foreſaid, *Doth Nominat* and *Appoint* the ſame Perſons who are named in the ſixt Act *Seſſ.* ſecond, and in the ſeventh Act *Seſſ.* fifth, and in the foreſaid firſt Act *Seſſ.* ſixt of this current Parliament, who are Alive and have Qualified themſelves according to Law, or ſhall Qualifie themſelves betwixt and the firſt *Tueſday* of *October* next to come, and ſuch others as ſhall be nominat in this preſent Seſſion of Parliament, to be Commiſſioners for ordering and uplifting this Supply with the ſame power to them to choiſe their own Clerk, and to do every thing that may concerne the ſaid Supply, as is preſcribed and appointed by the ſaid Acts, holding the ſame as herein repeated: And ordains the ſame Execution to paſs for inbringing thereof, as is provided by the ſaids Acts in all Points. And Ordains the firſt meeting of the ſaids Commiſſioners for the Shires, to be at the reſpective Head-Burghs thereof, the ſecond *Tueſday* of *October* next to come; *And Requires* the Sheriffs and Stewarts or their Deputs, to intimate the ſame to the Commiſſioners of the reſpective Shires and Stewartries with power to them, to appoint the ſubſequent Dyets of Meeting and their Conveeners from time to time And alſo to appoint Collectors with ſufficient Caution as they ſhall think fit; *And commits* to His Majeſties Privy Council upon the Death or not Acceptance of any of the Commiſſioners of Supply appointed by this Act, to nominat and appoint others in their Places. And

His

His Majeſty with Advice and Conſent foreſaid, *Doth Declare*, that all Clauſes contained in the former Acts of Parliament and Convention of Eſtates in Relation to the inbringing of Ceſs and Quartering, and anent Ryding Money, ſhall ſtand in full Force as to this Supply now impoſed in the ſame manner, as if they were here inſert, except in ſo far as theſe Acts of Parliament or Convention are innovat or altered by the foreſaids ſixth ſeventh and firſt Acts of the ſecond, fifth and ſixth Seſſions of this current Parliament. *And it is hereby Declared*, That no Perſons lyable in payment of this Supply, ſhall be holden to produce their Diſcharges nor Receipts of the ſame after three years from their reſpective Terms of payment unleſs Diligence be done by Denunciation before the elapſing of the ſaids three years; And becauſe by the Supply hereby granted the Land Rent and Burghs of this Kingdom are only burdened; And it being juſt that the perſonal Eſtates in Money ſhould bear ſome Proportion of the Burden; *Therefore* His *Majeſty*, with Advice and Conſent foreſaid, *Statuts* and *Ordains*, that every Debitor owing Money within the Kingdom, at ſix *per cent* of Intereſt, ſhall in the payment of his Annualrents the ſaids two years, have Retention in his own hands, of a twelth part of ſix *per cent*, and this two Years of Retention, to be from *Martinmaſs* next to come, to *Martinmaſs* one thouſand ſeven hundred: And it is hereby declared, that it ſhall be Uſury for any Creditor to refuſe to grant the ſaid Retention.

Follows the Commiſſioners of Supply given in by the Noblemen, and Commiſſioners for the ſeveral Shires, as was Ordered in Parliament.

For the Shire *of* Edinburgh.

THe Earl *of* Ruglen, Sir Charles Ker, Sir Thomas Moncrieff *of* that Ilk, Mr. James Elphingſtoun *of* Logie, Sir William Paterſon *of* Grantoun *Baronet*, John Paterſon younger *of* Grantoun, Mr. John Mckenzie *of* Cramond, James Rochead *of* Innerleith, George Warrander *of* Bruntsfield, John Pringle *of* Torſonce, George Pringle *of* Haltree, Thomas Inglis *of* Mannerhead.

For the Shire of Haddingtoun.

The Earl *of* Lauderdale, the Lord Yeſter, the Lord Elibank, John Maſter *of* Belhaven, Sir William Paterſon *of* Grantoun, John Paterſon his Son, John Marjoribanks *of* Leuchie, George Louthean *of* Belſhes, Francis Kinloch *of* Gilmertoun younger, Henry Borthick *of* Pilmour, Mr. John Hay younger *of* Lethem, Sir John Hume *of* Blackadder, the Laird *of* Linplum younger.

For the Shire of Berwick.

Sir Andrew Hume Sheriff-Deput, William Purves younger of that Ilk, Halyburtoun *of* Newmains, Patrick Craw *of* Heughead Hume younger *of* Oxmuir, Mr. William Hay *of* Drumelzier, Sir Robert Sinclar *of* Longformacus, Douglaſs *of* Edringtoun.

For the Shire of Roxburgh.

Andrew Ker younger *of* Greenhead, Andrew Ker younger *of* Lintoun, Robert Pringle younger *of* Cliftoun, Walter Scot younger *of* Woll, Alexander Don *of* Woodſide, William Elliot younger *of* Harrot, Thomas Scot *of* Chappell, Adam Scot younger *of* Burnfoot upon *Teviot*, Patrick Murray younger *of* Cherrytrees, Robert Rutherfoord *of* Kaiphope, Robert Scot *of* Haſſenden, John Symſon younger *of* Sharplaw, Mr. James Douglas Sheriff-Deput *of* Roxburgh, James Moriſon *of* Maſondew, Walter Ker younger *of* Littledean, Thomas Porteous portioner *of* Nether-Ancrum, Thomas Turnbul *of* Know, Walter Scot *of* Alton, Thomas Turnbull *of* Standhill, William Turnbull *of* Toffts, Charles Scot *of* Crumhaugh, William Gladſtones portioner *of* Semiſtoun, John Davidſon *of* Blackhope, Walter Elliot *of* Erckerton, Mr. Willliam Chiſholm *of* Stirkſhaws, John Chiſholm *of* Stirkſhaws younger, Henry Young *of* Oxnamſide, William Elliot younger *of* Swinſide, William Ker *of* Crokedſhaws, Adam Scot *of* Galalaw, William Ker portioner in Cavertoun, William Mader *of* Langtoun, Henry Douglas *of* Frierſhaw.

For the Shire of Selkirk.

The Earl *of* Dalkeith, William Scot younger *of* Thirlſtone, Sir Gilbert Eliot *of* Headſhaw, John Pringle *of* Whitebank, Patrick Ker *of* Fairnielie.

For

For the Shire *of* Lanerk.

The Duke *of* Hamilton, the Earl *of* Ruglen, Thomas Inglis younger *of* Eaſtſhiels, Thomas Carmichael *of* Eaſtend, William Bartram younger *of* Nisbet, William Broun *of* Lindſaylands, John Couter *of* Coutermains Dicklon *of* Hartry.

For the Shire *of* Dumfreis.

James Duke *of* Queensberrie, John Earl *of* Carnwath, William Earl *of* Annandale, Sir Alexander Jardin *of* Aplegirth, Sir Thomas Kirkpatrick *of* Closburn, Sir Robert Lawrie *of* Maxweltoun, Sir James Johnſtoun *of* Weſterhall, the Laird *of* Kelhead younger, the Laird *of* Dornock, the Laird *of* Holmaynes, the Laird *of* Lag younger, the Laird *of* Closburn younger, the Laird *of* Weſterhall younger, the Laird *of* Crawfurdtoun, the Laird *of* Frierſhaw, the Laird *of* Enoch, the Laird *of* Eccles, the Laird *of* Elſheſheels, the Laird *of* Midlebie, the Laird *of* Hoddom, the Laird *of* Corhead, the Laird *of* Drumcreeff, the Laird *of* Croglin younger, the Laird *of* Caitloch younger, the Laird *of* Bogrie, the Laird *of* Capinoch, the Laird *of* Dalgoner, the Laird *of* Baljarg, the Laird *of* Dalſwintoun, the Laird *of* Carnſalloch, Mr. Alexander Ferguſon *of* Iſle, the Laird *of* Steelſtoun, the Laird *of* Coliſtoun, Mr. Thomas Rome *of* Clouden, the Provoſt *of* Dumfreis for the time, the Laird *of* Portract, John Dalrymple *of* Waterſide, James Wallace *of* Caryeeld, William Dowglas younger *of* Fingland, William Dowglas *of* Arkland, Mr. John Cunninghame *of* Birkſhaw Tutor *of* Craigdarroch, the Sheriff-Depute *of* Dumfreis for the time, the Laird *of* Grantoun, the Laird *of* Newtoun, the Laird *of* Bearholm, the Laird *of* Selcoath, the Laird *of* Breckinſide, the Laird *of* Girthhead, the Laird *of* Shaw, the Laird *of* Persbiehall, the Lairds *of* Arkiltoun elder and younger, the Laird *of* Craickhaugh, the Laird of Howes, the Laird of Woolcoats, the Laird of Mosknow, the Laird of Dormont, the Laird of Denbie, the Laird of Weſterkier, Mr. William Johnſton Son to Sir James Johnſton of Weſterhall, the Dutches of Buckcleughs Chamberlain for the time, the Earl of Nithſdales Chamberlain for the time, William Whyte Chamberlain to the Earl of Annandale.

For the Shire *of* Dumbartoun.

The Laird *of* Kilmahew, Tobias Smallet younger *of* Bonnill, Collin Campbel *of* Ardintainie, Hugh Craufurd *of* Cloberhill, Donald and Archibald Campbells *of* Rachaine, Mr. John Campbel Brother German to the Earl of *Argyle*.

For the Shire of Bute.

The Duke *of* Hamilton, the Magiſtrats *of* Rothſay for the time being, John Glaſs Portioner *of* Middaſcog, Robert Steuart *of* Lochlie, William Steuart *of* Mecknoch, John Steuart *of* Killwhinlick, Ninian Steuart *of* Lorgizean.

For *the Shire of* Renfrew.

The Lord Kilmars, William Cochran *of* Fergusſlie, Alexander Cochran younger *of* Craigmuire, James Maxwel *of* Williamwood.

For *the Shire of* Stirling.

Sir William Bruce *of* Stanehouſe, the Laird *of* Dunniepace, the Laird *of* Auchinbowie, James Bruce *of* Pow-foullis, the Laird *of* Craigbarnet, James Goodlet *of* Abateſhaugh, Sir Mungo Stirling *of* Glorat, Captain John Erskine *in* Stirling Caſtle, Mr. Francis Napier *of* Craigannet, John Buchanan younger *of* Carbeth, John Spreull *of* Miltoun Tutor to Stirling *of* Law, Walter Buchanan *of* Gillieſtoun, William Buchanan younger *of* Auchinmarr, James Dow *of* Bandeath, Thomas Ruſſal *of* Elrig, John Hadden *of* Myretoun, John Erskine younger *of* Balgounie John Hunter *of* Forreſters, Saltcoats, Alex. Linday younger *of* Balquharradge, John Williefon *of* Dorrator.

For *the Shire of* Linlithgow:

The Duke *of* Hamilton, the Earl *of* Annandale, Mr. John Montgomery *of* Wrae, John Hamilton *of* Dechmont, Thomas Hamilton *of* Boghead.

For *the Shire of* Perth.

James Campbell younger *of* Aberuquhil, Patrick Campbel *of* Monzie, John Drummond younger *of* Megginch, The Lord Elcho, Lord James Murray James Drummond younger *of* Blair.

For

For *the* Shire *of* Kincardin.

The Earl Mariſchal, Alexander Burnet *of* Leyes younger, Peter Forbes *of* Balfour, Mr. Alexander Thomſon *of* Portlethem, Colonel James Ferguſon *of* Kirkmichael.

For *the* Shire *of* Aberdeen.

The Earl Mariſchal, the Earl *of* Aboyne, the Lord Hay, the Lord Haddo, Sir James Scougal *of* Whitehill, John Gordon *of* Halhead, Mr. Ar: Farquharſon of Cults, George Leith of Overhall, the Lairds of Leyes elder and younger, Alexander Roſs of Lethenty, the Laird of Pittodrie, John Forbes of Innermetty, William Hay of Crimonmogat, the Laird of Innerhall, Gordon of Blelack, Joſeph Brodie of Muireſk, John Ramſay of Leathers, James Miln of Blairroun.
Irvin of Drum, Donald Forquharſon of Balfour, Francis Roſs younger of Auchloſſen, William Baird of Auchmedden, George Davidſon of Cairnbrogy, Mr. John Keith of Glaſgow, James Auchterlounie of Seaton, Mr. Patrick Leith of Craighall, Meldrum of Hatton, William Frazer of Inverallochie, George Forbes of Kebbity, Charles Roſs of Cloak, Charles Innes of Belnaboth, George Calder of Aſwanly Alexander Hay of Knock and Chamberlain to the Earl of Errol, James Gordon of Barns, the Laird of Meldrum, Alexander Keith of Milroun, Peter Strachan of Auchnagat, Mr. Robert Paterſon Commiſſar of Aberdeen, Mr. John Mowat of Leſcragie Advocat, Alexander Ker in Kildromny, Robert Arburthnot Chamberlain to the Earl Mariſchal, James Scot of Blackwater, Alexander Hay of Knockhoudy, Walter Hay of Brunthill.

For *the Shire of* Inverneſs.

John Forbes younger *of* Collodden, Alexander Grant younger *of* that Ilk, William Baillie Commiſſar of *Inverneſs*, John Cuthbert younger *of* Caſtlehill.

For *the ſhire of* Nairn

Alexander Dumbar of Boath, Hugh Roſs of Clova younger, James Roſs of Cantradown, James Sutherland of Kinſterie, Alexander Falconer of Blackhills.

For the ſhire of Argyle.

The Earl of Lauderdale, John Campbel of Glenſaildel, Archibald Campbel Tutor of Iſla, John Campbel younger of Auchinwilling.

For the ſhire of Fife.

The Earl of Craufurd, the Lord Elcho.

For the ſhire of Bamff.

The Earl Mariſchal, Alexander Sutherland of Kilmeinnity, Nicolas Dumbar of Caſtlefield, Robert Grant of Dunlugoſs, Charles Gordon of Glengerrat, James Dumbar younger of Durn, the Laird of Auchmedden, Robert Arbuthnet Chamberlane to the Earl Mariſchal.

For the ſhire of Elgin.

Sir William Dumbar of Durn, Thomas Tulloch younger of Tanachies, Alexander Grant younger of that Ilk, *Mr.* John Innes of Leuchers.

For the Stewartry of Orkney *and* Zetland.

For Orkney.

Robert Steuart of New-work, Thomas Buchannan of Sandſide, James Grahame of Grahamſhall, James Baikie of Tankerneſs, Henry Grahame of Braickneſs, John Steuart of Brough, Alexander Douglas of Eagilſhay, Hugh Baikie of Burneſs, Patrick Ballenden Tutor of Stenhouſe, John Traill of Elsneſs, David Traill of Sabay, Sir William Craigie of Gairſey, William Craigie younger of Gairſey, the Stewart of Orkney and his Deputs for the time.

For

For Zetland.

Laurence Sinclair of Quendaill, Andrew Bruce of Mowneſs, Lawrence Steuart of Bigtoun, Mr. John Mitchell of Weſtſhore, James Scot of Voſegarth, Andrew Mowat of Garth, Patrick Leſlie of Uſtaneſs, John Giffard of Buſta, John Bruce of Aith, James Mitchell of Girleſtane, Charles Sinclair Tutor of Scalloway, Ninian Neven of Scousburgh, Andrew Bruce of Brewick, and William Henderſon of Gairdie, the Stewart of Zetland and his Deputs for the time.

For the ſhire of Clackmannan.

Captain John Areskine, Mr Robert Steuart one of the Commiſſaries of Edinburgh, Alexander Inglis Factor to the Eſtate of Clackmanan, George Colquhoun of Balhartie.

For the ſhire of Roſs,

Hector Monro of Novarr, Mr. Andrew Monro of Techerin, Alexander Duff of Drummuir, Kenneth M'kenzie younger of Toyrardtoun, Andrew Monro younger of Logie, William Mackenzie younger of Balladuffie.

II.

ACT for preventing of Diſorders in the ſupplying and Planting of Vacant Churches:

Auguſt 30. 1698.

OUR SOVERAIGN LORD, with Advice and Conſent of the Eſtates of Parliament, for remeeding the godleſs Abuſe of Rableing, that of late hath ſo frequently happened in Oppoſition to Miniſters orderly ſent to Supply vacant Churches, and for facilitating of the ſupplying and planting of vacant Churches, and removing all Impediments and Diſorders, that may obſtruct the ſame, Strictly prohibites and Diſcharges all perſons whatſomever, to make any Oppoſition by Rableing, Tumult or any other manner of Violence, to any Miniſter lawfully Authorized and Sent to preach at any vacant Church within the Kingdom, either for ſupplying of the ſaid Vacancy, or to Exerce the Miniſterial Function as fixed Miniſter of the Paroch, and that under the pains of a hundred *lib.* upon every Heretor or Liferenter, and of fifty Merks upon any other unlanded Perſon *toties quoties*, and for ſuch Delinquents as are not able to pay, that they ſhall be puniſhed in their perſons, as the Lords of Privy Council ſhall ſee cauſe; And farder for the better repreſſing of the foreſaid Oppoſition by Rableing, Tumult or any other manner of Violence, *His Majeſty* with Advice and Conſent foreſaid, *Ratifies* and *Extends* to the Caiſe thereof, the ſeventh Act of the Parliament 1633. Intituled *Act anent invading of Miniſters.* and that in manner and with the Alterations following: And therefore *Statuts* and *Ordains*, That wherever any ſuch Rableing or Tumult happens, the Heretors and Liferenters in whoſe Bounds whether within or without the Paroch, any of the perſons delated and accuſed as guilty of, or acceſſory to the ſame Duels or Reſides, ſhall be holden upon Intimation made to them by the Miniſter injured, or by any in Name of the Presbytery who ſent him to produce the foreſaids Perſons Guilty, and that they may be conveenedbefore the Lords of His Majeſties Privy Council for that effect. *Certifying* the ſaids Heretors and Liferenters, that if they either failzie to produce the ſaids Perſons, if reſiding

ſiding within their Bounds when the foreſaid Intimation ſhall be made, or if they ſhall ſuffer the ſaids Perſons withdrawing or abſenting the time of the ſaid Intimation, thereafter to reſide and haunt openly within their Bounds by the ſpace of twenty days; Then and in theſe caſes, the ſaids Heretors and Liferenters ſhall be eſteemed Connivers with the Delinquents and lyable as guilty, Art and Part with them in their foreſaid Delinquency; And becauſe notwithſtanding of the Act and Proclamation of Council made in the Year 1690. for the delivering of the Keyes of vacant Churches to the Presbyteries, or the perſons having their Order, the Perſons havers thereof do ſhift the ſame from hand to hand: *Therefore* His Majeſty with Advice and Conſent foreſaid. *Statutes* and *Ordains*, That where and when ever after Requiſition made by the Presbytery to the Beddel or Havers of the ſaids Keyes, the ſame are refuſed and not given up, then the next Mageſtrat, Sheriff, Lord of Regalitie or Baillie and their Deputs or any Juſtice of Peace when required by the Presbytery or any from them, ſhall repair to the ſaid Kirk, and there make open and patent the Doors thereof and put new Locks upon the ſame, and deliver the Keyes to the ſaid Preſbytery or their Order, for their free uſe making of the ſame; Certifying the ſaid inferior Magiſtrat who ſhal refuſe when required, to make the Church patent in manner foreſaid, he ſhall be lyable in the Fine of one hundred pound *Scots* to be inflicted upon him by the Lords of Privy Council for the uſe of the poor of the Paroch, by and attour the Presbyterys Expenſes.

III.

ACT againſt Pock-net-fiſhing upon the Water of Forth:

Auguſt 30. 1698.

HIS MAJESTY, with Advice and Conſent of the Eſtates of Parliament, Prohibits and Diſcharges all Salmond Fiſhing or other Fiſhing whatſomever in the River of *Forth*, above the Pow of Alloa, on both ſides of the ſaid River, with Pock-Nets, Herry-Water-Nets, or other Engines or Devices whatſomever not expreſly allowed by Law, and to the Prejudice of the Heretors and their Rights of Salmond-Fiſhing in the ſaid River; And Impowers, Warrands and Commands the Sheriff principle of the Shire of *Stirling*, Baillie of the Water of *Forth* and His Deputs, to Suppreſs the foreſaid unlawfull and prohibite Maner of Fiſhing, and puniſh the Uſers of the Foreſaid Pock-Nets, Herry-water-Nets, and other unlawfull Engines, by Fyneing, not exceeding the Sum of twenty Pounds *Scots toties quoties*, or Impriſonment, as they

ſhall ſee Cauſe; and to deſtroy all the foreſaid unlawful Ingynes; And that this they do as they ſhall be anſwerable.

IV.

ACT concerning Regiſtration of Probative Writs:

Auguſt 30. 1698.

OUR SOVERAIGN LORD Conſidering, that it will be of great Eaſe and Advantage to the Leidges, that probative Writs be allowed to be Regiſtrat, albeit they want a Clauſe of Regiſtration: *Therefore* His Majeſty, with Advice and Conſent of the Eſtates of Parliament, *Statutes* and *Ordains*; That it ſhall be lawful and leiſome to Regiſtrat, for Conſervation all Charters granted by Subjects, Diſpoſitions, Bonds, Contracts, Tacks, Reverſions, and all other probative Writes, in any publick authentick Regiſter that is competent, albeit the ſaids Writes want a Clauſe of Regiſtration, and the Principal to be given back to the Party, and the Extract to make intire Faith in all Caſes, in the ſame manner, as if the ſaids Writes had been Regiſtrat, by vertue of a Clauſe of Regiſtration, except in the caſe of Improbations.

V.

Act in favours of Minors anent Registrating Summonds and Instruments of Interruption.

August 30. 1698.

FORASMUCHAS. by the nineteenth Act of the last Session of this current Parliament, all Summonds and Instruments of Interruption of Prescription, then raised and taken, were Ordained to be Recorded in a particular Register, to be appointed for that effect, and that within a year after the Date of the said Act, which was the Ninth day of *October* One thousand six hundred ninety six: His Majesty, with Advice and Consent of the Estates of Parliament, does hereby Declare, that the said Years space should not run against Minors.

VI.

ACT against Clandestine and Irregular Marriages.

August 30. 1698.

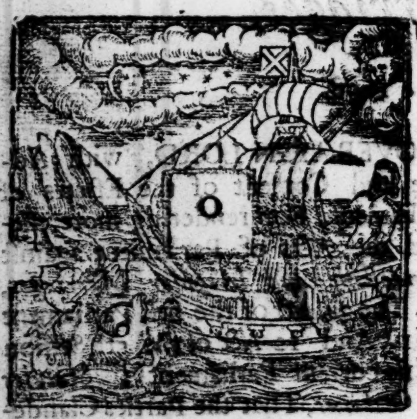
OUR SOVERAIGN LORD, with Advice and Consent of the Estates of Parliament, For rendering more effectual the Acts of Parliament against *Clandestine and Irregular Marriages, viz.* The 34. Act of the first Parliament 1661. And 12 Act of the 5th Session of this current Parliament: *Statutes* and *Ordains*, That the Parties Clandestinely or Irregularly Married, contrary to the said Act 1661. Declare, when required, the Names and Designations of the Minister, or Person who Celebrat the said Clandestine or irregular Marriages, and of such as were Witnesses to the said Marriages, with Certification

fication, that if they refuſe when required, the foreſaid Parties Married, ſhall pay, each Nobleman two thouſand pounds, each Barron and Landed-Gentleman two thouſand merks, each Gentleman and Burges one thouſand pound, each other perſon two hundred merks, to be applyed to pious Uſes within the Pariſhes where the ſaid perſons Dwell, and furder, be Impriſoned ay and while they do declare who were Celebrators of, and Witneſſes to the ſaid Marriages; and alſo make payment of the reſpective Penalties above-mentioned. And for the better Repreſſing of the ſaid Clandeſtine Marriages, it is furder *Statute and Ordained*, that over and above the Pains contained in the ſaid Act 1661, and 1695, againſt *Clandeſtine and Irregular Marriages*, the Celebrator of the ſaid Clandeſtine Marriage, ſhall be lyable to be ſummarly Seazed and Impriſoned by any ordinar Magiſtrat, or Juſtice of Peace, and furder puniſhable by the Lords of His Maieſties privy Council, not only by perpetual Baniſhment, but by ſuch Pecunial or Corporal Pains, as the ſaids Lords of privy Council ſhall think fit to Inflict; As alſo, that the Witneſſes to the ſaid Clandeſtine Marriages, ſhall be lyable each of them in the Sum of one hundred pounds *Scots*, *toties quoties*, to be applyed to the Uſes, and in manner abovementioned, or if Inſolvent, to ſuch Corporal puniſhment, as the ſaids Lords ſhall think fit to Determine.

VII.

ACT Diſcharging the wearing of Gold and Silver Lace:

Auguſt 30. 1698.



OUR SOVERAIGN LORD, with Advice and Conſent of the Eſtates of Parliament, Doth Prohibit and Forbid the Wearing of any Cloaths, Stuffs, Ribbons, Fringes, Tracing, Loups, Agreements, Buttons, or any thing pertaining to Apparel made of Silver or Gold-Threed, Weir, or Philagram, or wherein there is any Silver or Gold-Threed, Weir, or Philagram, or the Counterfits thereof on any part of their Apparel, at any time, or in any place after the firſt of *June* next, and on Horſe-Furniture already made, at any time, or in any place, after the firſt day of *June*, One thouſand ſeven hundred and one, under the pain of Burning

Burning and Deſtroying the Apparel and Horſe Furniture wherein any Gold or Silver-Threed, Weir, or Philagram ſhall be found, and of five hundred merks to be payed by the perſon wearer thereof, the one half to the Diſcoverer, and the other half to belong to the Judge; and all Sheriffs, Baillies of Regalities, Stewarties, Baronies, Juſtices of Peace, and Magiſtrats of Burrows, are declared to be Judges competent in theſe caſes, who are to proceed and judge ſummarly therein, and to impriſon the perſon Guilty, till they obey the Sentence, or give ſufficient Security to do ſo within fifteen days after Sentence. And likewiſe, His Majeſty, with Conſent foreſaid, Doeth Prohibit the Import of any Cloath, Stuff, Ribbons, Fringes, Tracing, or Buttons wherein there is any Silver or Gold-Threed, Weir, or Philagrams, after the date hereof, under the pain of Burning and Deſtroying the ſaids Goods, and a thouſand merks beſide of Fine on the Importer, to be judged and divided in manner above-written. And it's hereby Declared, that this preſent Act ſhal not be extended to the Officers and Souldiers of the Horſe and Foot-Guards, as to their Livery-Cloathes, and other Acountriments, for which they may import, wear, and uſe the ſame as formerly; and alſo Allowing to all Officers and Souldiers to wear out their Livery-Cloathes already made to the Term of *Martinmas*, One thouſand ſix hundred ninety nine, any thing in this Act notwithſtanding.

VIII.

ACT *Regulating the manner of Buildings within the Town of* Edinburgh:

Auguſt 30. 1698.

OUR SOVERAIGN LORD Conſidering That the New Buildings within the City of *Edinburgh*, having been Built without any ſettled Rule, or particular Over-ſight, ſeverals of the Houſes are Built to exceſſive, incommodious and dangerous Height, and all of them very Slight and Unſufficient, whereby not only the Policy and good Neighbourhood of the Town is prejudged, but alſo in caſe of Fire happening, all acceſs for ſtaying or extinguiſhing the ſame is ſo difficult, that it may prove dangerous to the whole Town: For Remeed whereof, and for the better Ordering and Regulating of all New Buildings within the

City of *Edinburgh*, in all time coming, His Majeſty, with Advice and Conſent of the Eſtates of Parliament, *Statutes and Ordains*, That in the Building of any New Houſes or Land within the City and Suburbs, theſe Rules be Obſerved, *Viz.* That the Thickneſs of the Side-Wall above the Calſay, be after this manner, That the firſt Story be three Foot thick, the ſecond Story two Foot nine Inches thick, the third Story two Foot ſix Inches thick, the fourth Story two Foot three Inches, and the fifth Story two Foot thick, and if the Walls be built with Aiſlier-work, that every tenth Stone ſhal go through the Wall to be a binding Stone, and that all Middle or Tranſing-Walls, wherein there is no Chimneys, ſhal be at leaſt ten Inches thick, and that all Breaſts of ingoing Windows, ſhal be from twelve to fourteen Inches thick, and that all ſingle Gavels where Chimneys are placed, ſhall be of ſufficient thickneſs for their Vents of Smoak, allowing ten Inches thick for the Back, and eight for the Boſom, and the wydeneſs betwixt Back and Boſom ſhal be according to the ſeveral uſes, *viz.* Kitchen-Chimneys which ought to be five or ſix Foot of Range, two Foot four Inches wyde betwixt Back and Boſom at the top of the Lintel or Arch, and gradually to diminiſh to the Coping of ten Inches one way, and eight Inches the other way; And in all other Chimneys, which are three Foot of Range, ſhall be one Foot and an half betwixt Back and Boſom at the Lintel, and diminiſh to the Coping, eight Inches the one way, and ſix Inches the other way; And other Chimneys of leſſer ſize are to be of fourteen Inches betwixt Back and Boſom at the Lintel, and diminiſhed to the top ſeven Inches the one way, and ſix Inches the other way: As alſo, that the Hearths of Chimneys be Corbled with Stone, a Foot without the face of the Perpendicular-wall, for carrying the Hearth-ſtones, and what remains, for carrying the Hearth as need requires, may be ſupplyed with Boards and Gavels that carries Chimneys on both ſides, there ſhal be one Foot thickneſs betwixt Back and Back of the Fummels, and that all Bridges betwixt Vents be three Inches thick of Hewen-work. And *Statutes and Ordains*, That all New Houſes be built no higher than five Stories above the Calſay; as alſo, that each Puncheon-Load of Lime, be refreſhed at leaſt with one or two Loads of Sea-Sand, beſides the old rubbiſh of Lime that may be made uſe of: And that all Jeaſts laid in Walls, be two Jeaſts thickneſs of void betwixt Jeaſts; and that no Jeaſts ſhal be laid under Hearths, or at the back of Vents; and what Jeaſts are laid at the ſide of Chimneys, to be ſix Inches free of any Vent, and to be built about with cloſs Meaſon-work, to defend them againſt Fire; and that all Dormonts may be only eight Foot, free void, having a Foot thick of Meaſon-work at each end, free of any Vent that may happen to be where they are laid. And Ordains the Dean of Gild and his Council within the Burgh of *Edinburgh*, to give out Jedges and Warrands in the terms of, and conform to this preſent Act, and no otherways, in all time-coming: As alſo, Ratifies and Approves of all Acts of Parliament made in relation to the Building and Repairing of ruinous Houſes within Burgh; and particularly the

fifth

fifth Act, third Seſſion, Parliament firſt, *Charles* ſecond. And Ordains the ſamine to be put to further Execution.

I X.

ACT *anent Quartering of* ſouldiers:

Auguſt 30. 1698.

OUR SOVERAIGN LORD, With Advice and Conſent of the Eſtates of Parliament, for the Eaſe of the Countrey in the matter of Quartering of Souldiers; And for preventing the Abuſes thereof, *Statutes* and *Ordains*: That in time of Peace within the Kingdom, Souldiers in their Local Quarters ſhall only be quartered by theſe to whom the Direction thereof appertains in Burghs Royal, or of Regality, or the moſt capable Mercat Towns within the Shires where their Quartering ſhall be Ordered; And that they ſhall not be quartered upon Tennents in diſperſed Onſteeds in the Countrey, upon pretence either of ſtuble Quarters, or of any other Cauſe whatſomever, excepting allennarly Quarterings for Deficiency, as the ſame are regulat by former Acts of Parliament: And farder, It is *Statute*, that wherever common Souldiers are quartered, either in Local or Tranſient Quarters, the Land-lord ſhall not be obliged to furniſh them either Coal or Candle, ſave according to the ordinar Condition of the Houſe, and after the manner of the ordinary Domeſticks. Which Orders, both Officers and Souldiers concerned, are hereby Commanded to obey, as they will be anſwerable; And farder, His Majeſty with Advice and Conſent foreſaid, *Statutes* and *Ordains*, That for all Abuſes and Miſdemannors committed by Souldiers, in their Local or tranſient Quarters, againſt any of His Majeſties Liedges, who are not Souldiers, they may either be complained upon to their Officers, or in the Option of the Party leſed, conveened upon ſummar Complaint before the Juſtice of Peace, or the ordinary Judges of the Bounds, and their Deputs, before whom the Officer ſhal be obliged under the pain of an hundred Merks and Reparation of Damnages *toties quoties*, to iſt them that they may be lyable to their Sentences; And His Majeſty Commands all Officers in His *Majeſties* Service, to be careful to cauſe all Souldiers under their Command, to go to Church, and attend Divine Worſhip duely upon the LORDS Day; As alſo, to ſubmit to the Miniſters Examinations, and to Church Diſcipline, and other Cenſures in the place where they are quar-

 tered,

tered, and that the Officers themſelves ſhew good Example, as they will be anſwerable. And *Laſtly*, His Majeſty with Advice and Conſent foreſaid, moſt ſtrictly forbids all free Quarter, and all Abuſing or Oppreſſion of His *Majeſties* Leidges by Souldiers in their Quarters, or out of them, and Ratifies all former Acts of Parliament againſt Free-Quarters, and Abuſes of Quartering, and particularly the 4*th. Act* of the 4 *Seſſion* of this current Parliament. And farder, for rendering more effectuall the Allowance thereby appointed to be given by Collectors of Shires, and the General Receivers of what happens to be taken on by Officers or Souldiers, or of what Damnages are done by them in their Quarters, either local or tranſient, or for Penalties of Officers for not preſenting Souldiers as above; His Majeſtie with Advice and Conſent foreſaid, *Statutes* and *Ordains*, that any Collector refuſing the ſaid Allowance in the Order preſcribed in the ſaid Act, ſhall be lyable to the Party leeſed, in the Soum of one hundred pounds *Scots toties quoties*, at the ſight of any two of the Commiſſioners of Aſſeſſment, and that the General Receiver refuſing the foreſaid Allowance to the Collectors, ſhall be lyable not only to the pains contained in the ſaid Act, but in the Soum of five hundred Merks over and above, *toties quoties*, at the ſight of the Lords of His Majeſties Theſaury and Exchequer. And it is hereby declared, that the ſame Execution ſhall be granted for payment of Carriadges furniſhed to Souldiers, as for their Intertainment in their Quarters. And His Majeſty recommends it to the Lords of His Privy Council, to cauſe this Act be punctually obſerved, and to puniſh all the Tranſgreſſors thereof of whatſomever Degree or Quality.

X.

ACT *anent Quartering for Deficiency:*

Auguſt 30. 1698.

OUR SOVERAIGN LORD, with Advice and Conſent of the Eſtates of Parliament, for the farder Relief of the Countrey as to Quarterings in the caſe of Deficiency provided for by the third Act of the third Parliament of King *Charles* Second, *Statutes* and *Ordains* That wherever Parties are ſent to Quarter upon Deficients in manner provided in the foreſaid Act, then, and ſo ſoon as it ſhal be intimate to the ſaid Party, that the Perſon or Perſons Deficient have made payment of their Deficiency leſs or more, and the Collectors Diſcharge ſhown for the ſame, the ſaid Quartering as for Deficiency ſhall ceaſe accordingly, and the Party Quartered

Quartered ſhall have no further allowance as for Deficiency, but ſhall be obliged to remove or to pay for their Quarters, as in the caſe of common Quartering untill they be removed: And the Commiſſioners of Supply of the reſpective Shires are to ſee theſe preſents punctually execute.

XI.

ACT for the Eaſe of ſmall Vaßals of Biſhops Lands, now holden of the King.

Auguſt 30. 1698.

OUR SOVERAIGN LORD, with Advice and Conſent of the Eſtates of Parliament. For the farder eaſe of ſmall Vaſſals of Lands and others now holden of His Majeſty, by Vertue of the twenty nineth Act of the ſecond Seſſion of this current Parliament, Intituled, *Act anent the Superiority of Lands and others which formerly held of Prelates or Biſhops and their Chapters, to be now holden of the* King *and* Queen, *Statutes* and *Ordains*, That not only the Signatures and Charters of the ſaids Lands, the Valuation whereof, is but one hundred pound *Scots* or under, ſhal paſs the Great Seal *per ſaltum*, without paſſing any other Seal, and that *gratis* without payment of Compoſition in Exchequer or other Dues, *Sicklike* as is provided by the thirty ſecond Act of the ſaid Seſſion of Parliament, in Favours of Vaſſals of the ſaids Lands, Where their Valuation is only ten pound *Scots* or under; But likewiſe, that in caſe of their Deceaſe, the ſpecial Services and Precepts for infefting of their Heirs, ſhall be expeade in His Majeſties Chancellary, for the Soume of ten Merks for all Dues & Drink-mony, and that they ſhal be free of paying a Seaſin Ox to the Sheriff or Baillies of Regalitie, and the Dues to be payed by them to Sheriffs or Baillies of Regalitie for *Equies*, ſhal not exceed the twenty part of their Few-dutie, and this Act to be without prejudice to the other ſmal Vaſſals of the ſaids Lands of the other Priviledges provided to them by the foreſaid thirty two Act of the ſecond Seſſion of this Parliament.

XII.

ACT anent Pole-Money.

August 30. 1698.

THE Eſtates of Parliament taking to their Conſideration, how much it concerns the Honour and Juſtice of the Kingdom; That the Officers who ſerved in the late War be payed of their juſt Arrears: As alſo, that the Captains and their inferior Officers, and Sea-men who ſerved aboard of the Friggots, appointed for defence of the Coaſt during the ſaid War, be payed of the Debts found due to them by the Commiſſioners of the Admirality, have not only reſolved that they will be careful to have the foreſaid Arrears and Debts payed, in ſo far as they are ſtill reſting, but do alſo toward payment of the Arrears due to the Officers of the Regiments lately disbanded, or ſtill in Garriſon by the late Eſtabliſhment, as they ſhall be ſtated by the Lords of His Majeſties Theſaury, and of the foreſaid other Debts, as they are already declared to be due; Freely and Cheerfully offer to His Majeſty an Subſidy to be upliſted by way of Pole-money. And for making of this Offer effectuall: His Majeſty with Advice and Conſent of the ſaids Eſtates of parliament, doth Statute and Ordain, that the perſons following be lyable to, and make payment of the pole-money after-mentioned, in manner after preſcribed. *Viz.* That all unlanded Gentlemen, and all Merchants, Sea-men, Schop-Keepers, Schopmen, Tradſmen and others, whoſe free Stock and Means, not including Workmens Tools, Houſhold-pleniſhing, nor Stocks of Tennents upon their Farms and poſſeſſions, is one thouſand Merks, and doth not extend to five thouſand Merks, ſhall be ſubject and lyable to two pound ten ſhilling of Pole, and that all the foreſaids perſons whoſe free Stock and Means, not including as above, is five thouſand Merks or above, and does not extend to ten thouſand Merks, ſhall be ſubject to four pound of Pole; That all the fore-named perſons whoſe free Stock and Means, not including as above, is ten thouſand Merks or above, in Worth and Value, ſhall be lyable in ten pound of Pole; That all the fore-named perſons whoſe free Stock and Means, not including as above, is twenty thouſand Merks, or above fifteen pound of Pole; That all the fore-named perſons whoſe free Stock and Means not including as above, is thirty thouſand Merks or above, twenty pounds of pole; That all the fore-named perſons whoſe free Stock and Means, not including as above, is fourty thouſand Merks, or above, twenty four pounds of pole-money; That all Heretors of ſixty pounds, and below two hundred pounds of valued Rent, be ſubject and lyable to three pounds of pole; That all Heretors of two hundred pounds, and under five hundred pounds of valued Rent, be lyable to nine pounds of pole-money; That all Heretors of five hundred pounds, and under one thou-

thouſand pounds of valued Rent, be lyable to twelve pounds of pole-money; That all Heretors of one thouſand pounds of valued Rent, and above the ſame, and all Knights, be lyable to twenty four pounds of pole-money; That all Lords pay fourty pounds of pole-money; That all Viſcounts pay fifty pounds of pole-money; That all Earls pay ſixty pounds of pole-money; That all Marquiſſes pay eighty pounds of pole-money; That all Dukes pay an hundred pounds of pole-money; That the Sons of Noblemen *foris-familiat* pay according to their Ranks, *viz.* All Dukes eldeſt Sons as Marquiſſes, and their younger Sons as Earls. All Marquiſſes eldeſt Sons as Earls, and their younger Sons as Viſcounts; All Earls eldeſt Sons as Viſcounts, and their younger Sons to pay twenty four pounds of pole-money; All Viſcounts and Lords Sons to be lyable in twenty four pounds of Pole. That Widows whoſe Husbands would have been lyable to two pound ten ſhilling of pole, or above, be ſubject and lyable to an third part of their Husbands pole, except Heireſs who ſhall be ſubject to the ſame pole as their predeceſsors would have been. That all Nottars and procurators before inferior Courts, and Meſſengers at Arms, be ſubject to four pounds of pole-money; That all Writters, not to the Signet, Agents, and Clerks of inferior Civil Courts, and Macers and Under-Clerks of Seſſion, pay ſix pounds of pole-money; That all Advocats, Clerks of Soveraign Courts, Writers to the Signet, Sheriffs and their Deputs, Commiſſaries and their Deputs, Doctors of Medicine, Apothecaries, Chyrurgeons, and others repute Doctors of Medicine, pay twelve pounds of pole; That all Commiſſionat Officers of the ſtanding Forces, be lyable in four days pay for their pole. That all perſons lyable in the foreſaid pole, if poled in different Capacities, are only to pay their higheſt pole. And for the better ſtating, Ordering and Upliſting of the ſaid pole. His *Majeſty* with Advice foreſaid, *Statutes* and *Ordains*, that the Commiſſioners of Aſſeſſment, or their *Quorum*, ſhall meet and conveen at the ordinary place of their Meeting, upon the ſecond *Tueſday* of *October* next, and there ſhall divide the whole Commiſſioners, whether preſent or abſent, into ſuch Diviſions, and for ſuch Bounds as they ſhall ſee convenient, to meet the firſt *Tueſday* of *November* thereafter, at the reſpective places to be appointed, Impowering the ſaids Commiſſioners to take up Rolls and Liſts of the ſaid poleable perſons within the reſpective Bounds appointed to them, containing the Names, Qualities & Degrees of the ſeveral perſons, and of the value of the Eſtates belonging to them, conform to the ſaid Act; And Ordains the Magiſtrats of Burghs Royal, to meet the third *Tueſday* of *October* next, and to take up Rolls and Liſts of all the poleable perſons within the reſpective Burghs, containing their Names, Qualities and Degrees, and the value of their Eſtates; And which Commiſſioners and Magiſtrats of Burghs are to give Intimation at the Kirk-door, upon a Lords Day, upon three Days warning at leaſt to the perſons to be poled, to compear before them at the ſaid reſpective places to be appointed, and give up their Names, Qualities and Degrees. and values of their Eſtates to

the Effect the reſpective Poles may be ſtated and ſet down by the Commiſſioners or Magiſtrats, and which Rolls the ſaids Perſons are to give up or ſend under their Hands, or if they cannot write their Name, Quality Degree, and Eſtate, ſhall be marked by the Clerk; With Certification, that ſuch as do not compear, or ſend under their Hands their Names, Qualities and value of their Eſtates, or do give up the ſame otherwiſe than it ſhould be, they ſhall be lyable in the Quadruple of their Pole, one half to the Informer who ſhall make the ſame appear: And which Liſts and Rolls being ſo made up within the reſpective Sub-diviſions, ſhall be recorded in a *Regiſter* of the Shire or Burgh for that purpoſe, whereof there ſhall be an abſtract ſent to the Lords of the Theſaury, betwixt and the third *Tueſday* of *December* next, containing the Number of the perſons in the ſeveral Claſſes and Ranks above-ſpecified with the extent of their Pole: And His Majeſty with Advice and Conſent foreſaid, Ordains the ſaid Pole-Mony to be payed the firſt Day of *January* next to come, or within thirty days thereafter, to the Collector of the Ceſs, or to the Collector to be appointed by the Farmers, in caſe the ſame ſhall be ſet in Farm at the reſpective head Burghs of the Shires where the Perſons concerned dwell, For which Diſcharges are to be given to the Payers *gratis*: And requires the Commiſſioners of Aſſeſment and Magiſtrats of Burghs, or the ſaid Farmers, to cauſe Intimation be made for the payment thereof at the Kirk-door of the ſeveral Paroches upon the ſecond LORDS Day of *December*, certifying ſuch as ſhall not make punctual payment at the ſaid firſt Day of *January*, or within the ſaid thirty Days thereafter, they ſhall be lyable in the double, if paying within other thirty days thereafter, or if failing after both the ſaid thirty Days, in the Quadruple of their pole; and Ordains Execution to be uſed againſt them for the ſame, either by the Collector of the Shire, or the Collectors to be appointed by the ſaid Farmer, by poynding of their readieſt Goods, or Impriſoning their perſons, the foreſaid poynding and Impriſonment alwiſe proceeding upon the Sentence of one of the Commiſſioners for Aſſeſſment, or any other Inferior Judge where the perſon lives, at the inſtance of the ſaids Collectors, who are hereby declared Comptable for the ſaid pole, *viz.* The Collector of the Shire as for the Ceſs, or the Collector of the Farmer to the Farmer. Likeas His Majeſty with Advice and Conſent foreſaid, hereby impowers the Lords of privy Council, to order and appoint ſuch further Methods and Courſes as they ſhall judge fit for Stateing and inbringing of the pole Money aforeſaid, and to allow out of the ſaid pole-Money ſuch Charges and Expenſes as ſhall be neceſſary for Execution of this Act; And His Majeſty and Eſtates foreſaid, do hereby ſtrictly deſtinate, appropriat and appoint the Soums to be raiſed by this Act for the Ends and Uſes above-ſpecified and none other, and to be diſtributed and proportionally payed to the perſons having Intereſt by the Orders of the Lords of Theſaury, as they ſhall find their Debts to be due: With this Declaration, that any of the ſaids Officers who have cloathed their Regiments or Companies in Gariſons, ſhall be payed of their ſaid cloathing Money; And the ſaid Captains

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tains of the Frigots who advanced for proviſion to their ſaid Seamen and Frigots ſhall be payed of their reſpective Advances both in the firſt place; And the Eſtates of parliament having conſidered the petition preſented to them by the Officers of the *Scots* Regiments that ſerved in *Flanders* and are now disbanded, do humbly recommend to His Majeſty, to appoint out of the foreſaid pole impoſed by this Act, not exceeding the fourth part thereof to ſuch of the ſaids Officers ſuch part of their Arrears after the firſt of *February* 1691. and preceeding 1693. As His Majeſty ſhall think fit. And laſtly, it is hereby declared, that no perſons lyable in payment of the pole ſhall be holden to produce their Diſcharges or *Receipts* of the ſame two years after the *Term* of payment,

XIII.

ACT in favours of the Manufactory for makeing of Ropes and Cordage at Glaſgow.

Auguſt 30. 1698.

OUR SOVERAIGN LORD taking into His Royal Conſideration, That there is a Manufactory ſet up at the Town of *Gaſgow* for making of Ropes and Cordage for the uſe of Shipping or for other Uſes in the Countrey; And likewiſe Conſidering, that the Cordage Imported from the *Sound* and Eaſt Seas, is no ways ſufficient: Therefore His Majeſty with Advice and Conſent of the Eſtates of Parliament, for the incouragement of the ſaid Manufactory, *Statute* and *Ordaine*, That a Duty of fifty ſhilling *Scots* upon each hundred Weight of Cords and *Ropes* imported from the *Sound* or Eaſt-Seas for Sale, after the firſt Day of *February* next, ſhall be exacted for His Majeſties Uſe by all Tackſmen, Collectors or Surveyers of their Majeſties Cuſtoms, and their Servants, for whom the Maſter ſhall be anſwerable, under the penalty of five hundred *Merks* the one half to belong to His Majeſty, and the other to the Informer, beſides the loſs of their Offices and Confiſcation of the Goods imported.

XIV.

ACT in favours of the Senators of the Colledge of Juſtice.

September 1. 1698.

THE Eſtates of Parliament conſidering, that the Senators of the Colledge of Juſtice are not at preſent competently provided; Do therefore make an humble offer to His Majeſty of two ſeveral Quarters of an Moneths Ceſs payable in the manner, and at the Terms after-mentioned, to the Lords of Seſſion, *viz.* One Quarter of a Moneths Ceſs to be payed at the Term of *Whitſunday* next to come, to be equally divided amongſt the Ordinary Lords of Seſſion, the one half thereof for their Service in *November*, *December* and *January* next, and the other half for their Service in *February*, *June* and *July* thereafter, according as there preſent Sallaries are divided, and the other Quarter of a Moneths Ceſs to be payed at the Term of *Whitſunday* one thouſand ſeven hundred years and to be divided in manner foreſaid for their Proviſion in the mean time, till the Parliament ſhall find out a Fond for their better Proviſion in all time coming; *Likeas* His Majeſty with Advice and Conſent of the ſaids Eſtates, appoints the ſaid two Quarters of a Moneths Ceſs to be uplifted by the Collectors of Supply granted to His Majeſty by an Act of this preſent Seſſion of Parliament, in the ſeveral Shires and Burghs of this Kingdom, and the ſame Execution to be uſed for ingathering thereof as is appointed for His Majeſties Supply; And that the ſeveral Collectors foreſaids, pay in the ſame to the Collector appointed or to be appointed by the ſaids Lords for uplifting the other Branches of their Sallarys, whoſe Diſcharge upon Receipt thereof in whole or in part, ſhal be a ſufficient Exoneration to the Shires and Burghs and all other whom it Effeirs: *Likeas*, it is hereby provided, that no Perſon ſhall be holden to produce their Diſcharges of this Ceſs after three years from the ſaid reſpective Terms of payment.

XV.

XV.

ACT for preſerving the Game.

September 1. 1698.

UR SOVERAIGN LORD Conſidering that the Laws and Acts of Parliament for preſerving of Game, has not hitherto been put to due Execution as they ought to have been; Therefore His Majeſty with Advice and Conſent of the Eſtates of Parliament, Renews, Ratifies and Reveives all former Laws made for preſerving of Game, and particularly the 20 *Act Par.* 1. *Sess.* 1. *Ja* 7. in the year 1685. And Ordains the ſame to be put to full Execution in all points, and there being a Clauſe in the end of the ſaid Act, that for the Preſervation and Encreaſe of Partridge, Muir-foul, Heathfoul and Quails, which are ſo much decayed of late, It was *Statute* and *Ordained*, that no perſon or Perſons whatſoever ſhall make uſe of ſetting Dogs with Nets for taking or killing of Partridges, Muir-fowls, Heath-fowls or Quails within any part of the Kingdom for the ſpace of ſeven years immediatly after the Publication thereof under the pain of fourty Merks S*cots* for each Fowl that ſhall be ſo taken, to be payed by the Killers or takers to the Maſters of the Game and their Deputs, or others who ſhould purſue the ſame; And it being juſt and reaſonable, that the ſaid Clauſe ſhould be continued for ſome longer time: *Therefore* His Majeſty with Advice and Conſent of the Eſtates of Parliament, *Statutes* and *Ordains*, That the ſaid Clauſe be continued, and hereby continues the ſame for ſeven years after the Publication hereof, and Ordains the Maſters of the Game, Sheriffs, Baillies of Regalities, Stewarties, Juſtices of Peace and other Jndges to put the ſame in full and vigorous Execution.

XVI.

ACT for preſerving of Planting.

September 1. 1698.

OUR SOVERAIGN LORD, with Advice and Conſent of the Eſtates of Parliament, Ratifies and Approves all former Laws & Acts of Parliament, made for planting and incloſing of Ground, and for making the ſamen more effectuall; *Statutes* and *Ordains*, that all Tennents and Cottars ſhal preſerve and ſecure, all growing-Wood and Planting that is upon the Ground they poſſeſs, that none of it ſhall be Cut, Broke, or pull ed up by the Roots, or the Bark peilled off any Tree, and that under the pain, to be exacted by their Maſters allenarly, of Ten punds *Scots* for each Tree within ten years old, and Twenty pound *Scots* for each Tree that is above the ſaid Age of Ten years, unleſs the ſamen be done by Warrand and Order of the ſaid Maſter and Heretor of the Ground, and Ordains the Tennent to be lyable for his Wife Children and Servants, or any others within his Family that ſhall contraveen this preſent Act.

XVII.

ACT *anent perſons going to and comeing from* France.

September 1. 1698.

OUR SOVERAIGN LORD, with Advice and Conſent of the Eſtates of Parliament, *Ratifies* and *Approves* an Proclamation emitted by His Majeſty, with Advice of His Privy Council, of the date the Tenth day of *May* laſt, whereof the Tenor follows. *Whereas* We are informed, that ſeveral diſaffected Perſons, who did go into, or remain in the Kingdom of *France* during the late Warr, contrary to the late Act of Parliament made thereanent, are reſolved to return privatly into this Our Kingdom. *Therefore*, and for preventing any incon-

conveniency that may ariſe thereupon; We have thought fit, with Advice of the Lords of Our Privy Council, to Command and Appoint, *Likeas* We hereby Command and Appoint, all Maſters of Ships who ſhal bring Home any Paſſengers from any Forraign Countreys after the date hereof, that they do detain them, and take Security of them for the effect after-ſpecified, until they be preſented unto, and brought before one of the Members of Our ſaid Privy Council, or before the Sheriff, Stewart, Lord of Regality, or Baillie of the Bounds, within the which the ſaid Ship ſhal happen to arrive, or their Deputs, or before the Magiſtrats of the Burghs or Ports, at which the ſaids Ships may arrive as ſaid is, that the ſaids Paſſengers may be by them Examined; And if the ſaids Sheriffs, and other Officers of the Law, and their Deputs, or the foreſaid Magiſtrats, ſhall find the ſaids Paſſengers, or any of them, to be diſafected to Us, and Our Government, or to have gone to, or remained in *France*, contrair to Law, during the ſaid late Warr, or to have been Baniſhed, Intercommuned, or Forefaulted, or that they cannot give a good Account of themſelves; That then, and in that caſe, the ſaids Sheriffs and other Officers of the Law, and Magiſtrats foreſaid, make, and keep the ſaids Paſſengers priſoners, until they acquaint the ſaids Lords of Our Privy Council, and receive from them ſuch Orders as they ſhal think fit to give in this Matter, Certifying all Maſters of Ships, and alſo all the ſaids Sheriffs, Stewarts, Lords of Regalities, Baillies and their Deputs, and Magiſtrats of Burghs & Ports foreſaid, who ſhal not obſerve, or who ſhal Contraveen the premiſſes, that they ſhal be proceeded againſt before the Lords of Our Privy Council, and by them puniſhed with all Rigour, as the ſaid Proclamation in it ſelf proports. And which His Majeſty with Advice and Conſent foreſaid, *Ordains* to be ſtrictly and punctually obſerved: And farder *Statutes*, That no perſon going to *France*, or any of the Dominions belonging to the French King, ſhall preſume to go to *St. Germans*, or any other place where the late King *James* reſides, nor Converſe nor Correſpond there where the ſaid late King reſides, with any of his Adherents, or with any other denounced Fugitive for Rebellion, or for their going to, or abiding in *France* contrary to the ſaid Act of Parliament One thouſand ſix hundred & ninety three, & that under the pain of being uniſhed as Correſponders with Rebels and Traitors: Certifying all that ſhall act or do in the contrary, that they ſhall be held and repute as Correſponders with Traitors, and puniſhed therefore accordingly.

XVIII.

ACT *anent the Tunnage*

September 1. 1698.

OUR SOVERAIGN LORD with Advice and Conſent of the Eſtates of Parliament, *Statutes* and *Ordains*, That the ſixteen ſhilling *per* Tunn impoſed on all Forraign Ships arriving in this Kingdom, or any of the Ports, Harbours, Creiks or Coaſts thereof by a former Act of this Parliament be for hereafter leſſened and brought down to eight ſhilling *per* Tunn on all forraign Ships coming to this Kingdom, for exporting and actually exporting the Coal thereof, and that it be heightned and augmented to twenty four ſhilling *per* Tunn on all other Forraign Ships arriving in this Kingdom, for any other Cauſe or Occaſion: *As alſo*, that the ſamen with the four ſhilling *per* Tunn impoſed by the ſaid Act on all Ships belonging to this Kingdom, except the Ships belonging to the Company trading to *Africa* and the *Indies* be continued for five years from this date, as the ſame is thereby laid on: And His Majeſty with Advice and conſent foreſaid, doth hereby deſtinate and appoint the whole foreſaids Soums impoſed by way of Tunnage, to be applyed in the firſt place for maintaining His Majeſties Frigots, at the ſight and by the Orders of the Commiſſioners of His Majeſtys Theſaury from time to time, as they ſhall ſee Cauſe; But with the Burden alwiſe in the next place of one hundred pound *Sterling* yearly to Sir *Archibald Sinclair* Judge of the Admirality, as a Sallary for exercing the ſaid Office conform to his Gift from His Majeſty of the ſaid Office; As alſo with the Burden of the other payments ordered by the ſaid Act of Parliament to Mr. *John Adair* Geographer, and Mr. *John Slezer*. And further with the Burden of one hundreth and fifty pound *Ster.* yearly, as the yearly Fee and Sallary granted to Mr. *Alexander Cunningham* as profeſſor of the Civil Law, nominat and deſigned to that Profeſſion.

XIX.

XIX.

ACT Regulating the Trade betwixt Burghs Royal and Burghs of Regality, Barrony, and others.

September 1. 1698.

OUR SOVERAIGN LORD, for farder clearing of the Trade allowed to Burghs of Barronie and Regality, or others, who are not Free-men of Burghs Royal; Doth with Advice and Conſent of the Eſtates of Parliament, *Statute, Enact and Declare*; That in time coming, the Exporting of the Native Goods from this Kingdom, and the Importing of Forraign Goods into the Kingdom, is the Priviviledge of the Free-men and Burgeſſes of Burghs Royal, and of ſuch to whom the ſaid Priviledge ſhall be Communicat *excluſivè*, of all others, excepting the Exportation of Corns, Cattel, Horſe, Nolt, Sheep, Coal, Salt, Mettle and Minerals, Lime and Stone, and but prejudice to Noblemen and Barrons to export the Native Products growing or manufactored in their Lands, and to import Forraign Commodities for their own uſe, and not for Sale anſwering to the value of ſuch Export, excepting alſo the Priviledges granted by Law to declared Manufactories, and Societies for Fiſhing. *And farder*, it is Declared, that in time coming, the Inhabitants of Burghs of Regality and Barony, and others, may Trade, Buy and Sell all Native Commodities, as alſo Retail Forraign Commodities, providing they buy theſe Forraign Commodities from ſome of the Free-men of the Burghs Royal, or of ſuch Burghs who ſhall get the foreſaid Communication, and who pays Scot and Lot within Burgh, and no otherways, and the grant of theſe Priviledges in favours of the Royal Burrows ſhal have Execution in the way and manner preſcribed by the Twelth *Act.* ſecond *Seſſion* of this current Parliament *Anno* 1690, in favours of Royal Burrows.

XX.

ACT for ſettleing the Communication of Trade.

September 1. 1698.

OUR SOVERAIGN LORD, for terminating the Differences that have lately ariſen betwixt the Burghs Royal and Burghs of Regality and Barrony and others, on the account of the Communication of Trade, appointed by the Act of Parliament 1693; And eſpecially about the Subdiviſion of the Ten Pound of the hundred pounds of the Taxt-Roll of the Burghs Royal, declared by the ſaid Act to be the Proportion to be undertaken by the ſaid Burghs of *R*egality and Barrony and others, who were to partake of the ſaid Communication during the Space and Years of Mr. *John Buchans* Contract, mentioned in the ſaid Act; As alſo what ſhould be the *Quota* of the ſaid Taxt-Roll, which ſhould be laid for hereafter upon the ſaid Burghs of *R*egality and Barrony and others, who ſhould partake of the ſaid Communication, and how the ſame ſhould be ſub-divided and proportioned amongſt them: Doth with the Advice and Conſent of the Eſtates of Parliament, *R*atifie and Confirm the Communication of Trade, *Ordained* by the foreſaid Act, and that in the Terms declared for hereafter by an other Act of this Seſſion of Parliament, Intituled *Act for Regulation of Trade betwixt Burghs Royal and Burghs of Regality*. And for clearing of the foreſaids Queſtions, and making the ſaid Communication more effectuall, His Majeſty with Advice and Conſent foreſaid, gives full Power, Warrand and Commiſſion to ſuch perſons, and *Quorum* of them, as ſhal be Nominat by His Majeſty, to Meet and Conveen at *Edinburgh* the day And thereafter at ſuch Times and Places as they themſelves ſhall appoint; with full Power to the ſaids Commiſſioners, to conſider as to bygons preceeding the Expiration of Mr. *John Buchans* Contract, how the ſaid Ten Pounds, together with Mr. *Johns* Expenſes, as it ſhall be modified by the ſaids Commiſſioners, may be moſt equally ſubdivided and proportionated amongſt the ſaids Burghs of Regality and Barrony, and other unfree Traders, as well for the part of ſuch unfree Traders as have got the Benefit of the ſaid Communication, as for the part of ſuch as have not got it, that they for the ſpace foreſaid may be fully liberat and diſcharged of all Hazard of unfree Trading, and to ſubdivide and proportion the ſame accordingly: As likeways to conſider for the year ſince the Expiration of Mr. *John Buchans* Contract to *Lambmas* laſt bypaſt, as alſo for hereafter, what *Quota* or part of the ſaid Taxt-Roll of ane hun-

hundred pounds of the Burghs Royal, ſhould be laid upon the unfree Traders of this Kingdom, and to ſubdivide and proportion the ſamen upon the ſaid Burghs of Regality and Barrony, and others who have got or ſhall accept and get the Benefit of the ſaid Communication, as they ſhall find juſt: And the ſaids Commiſſioners are hereby impowered to call all perſons having intereſt before them, and to take all manner of tryal neceſſar in the Premiſſes, and to cite Witneſſes, and iſſue out Diligences requiſite for that effect; Declaring that their Sentences and Decreets, for Stating and Dividing in manner foreſaid, ſhal have the force of a Decreet of Parliament, and that Letters and all other Execution as againſt Burghs Royal ſhal be direct thereupon as effeirs. And farder, His Majeſty with Advice and Conſent foreſaid, *Statutes*, that the ſaid *Quota* and Subdiviſion being once ſtated, all perſons Inhabitants of the ſaids Burghs, partaking of the Communication, ſhall be lyable to be ſtented for the *Quota* appointed, as the uſe is in Burghs Royal; As alſo that for thereafter the ſaids Burghs ſhall be lyable to the Determination of the Conventions of Royal Burrows, as to the Alterations of their *Quota* as other Burghs Royal, providing always, that the Burgh to be altered be firſt called, and that the ſaid Alterations ſhall not encreaſe the General *Quota* laid upon unfree Trade; As likeways, that in caſe of Inequality the Burgh læſed may apply for Remedie to the Parliament: Likeas, in caſe of the Increaſe or Decreaſe of Trade, it is hereby declared, that the Burghs concerned, whether Royal or not, may apply to the Parliament, even as to the general *Quotas*.

XXI.

ACT anent the Poor.

September 1. 1698.

OUR SOVERAIGN LORD with Advice and Conſent of the Eſtates of Parliament, Ratifies and Approves all former Acts of Parliament and Proclamations of Council for repreſſing of Beggars, & for maintaining & imploying of the Poor, & particularly, the Act of *Parl. Jam.* [illegible] Parliament ſixt, *Cap.* ſeventy four, intituled, *Act for puniſhment of ſtrong and idle Beggars, and Relief of the Poor and Impotent*; Act *James* ſixt *Parliament* twelth *Cap.* one hundred fourty ſeven, *for Puniſhment of Maſterfull Beggars, and Relief of the Poor.* Act *James* ſixth *Parliament* fifteenth, *Cap.* two hun-

red ſixtie eight, *That ſtrong Beggars, Vagabounds and Egyptians ſhould be puniſhed*, Act *James* ſixth *Parliament* ſixteenth *Cap.* nineteenth, Ratifying the former Acts againſt ſtrang and Idle *Beggars*, Act *James* ſixth *Parliament* twentie two *Cap.* tenth, *Anent the Poor* : Whereby it is Statute, That His Majeſties Leidges, at ſight of Provoſt and *Baillies* in *Burgh*, or of Kirk Seſſions either to *Burgh* or Landward, may receive the Children of Indigent *Parents*, with conſent of their Parents if they any have, and if they be under fifteen years and with their own conſent if they be above ſifteen years, and breed them either in their Houſes or at callings, and that upon a Teſtimonial hereof, the ſaid Children ſhall be aſtricted to their ſaid Maſters their Heirs and Aſſigneys in all manner of Service, and be under all manner of Diſcipline (Life and Torture excepted) until they be paſt thirty years of Age, and that all their Gain by their Travel ſhall be their Maſters, and they ſhall be bound to refound his Dammage for their Abſence, and who keeps them from their Maſters after Requiſition for delivery within twelve Hours ſhall be lyable in ten ſhilling *per diem* beſide redelivery, with the hail other heads mentioned in the ſaid Act: Act *Charles* ſecond Parliament one thouſand ſix hundred ſixty three, *Cap.* ſixteen, *anent the Poor*, Whereby the Act immediatly above-mentioned is ratified with this Addition, that all Maſters of Manufactories may with Advice of the Magiſtrats of the place ſeaſe Vagabounds and idle poor perſons, and imploy them in their Work, and exact of the Paroches where they were born, or if the ſame be not known of the Paroches where they have haunted for three years before, two ſhilling *per diem* for the next three years, and thereafter may retain them ſeven years in their Service for Meat and Cloaths, with the haill other Heads contained in the ſaid Act. Act *Charles* ſecond, Parliament ſecond, one thouſand ſix hundred ſeventy two : *Cap.* eighteenth, for eſtabliſhing Correction-Houſes, for idle Beggers and Vagabounds in the Burghs upon the Allowance, and in manner fully ſet down in the Act ; As alſo the Acts made anent the poor in this current Parliament. *Viz.* Act 17. *July* one thouſand ſix hundred nyntie five, ratifing and reviveing the former Acts of Parliament, and Acts and Proclamations of Council for maintaining of the Poor and repreſſing of Beggars ; And impowering the Lords of His Majeſties Privy Council, to take the moſt effectuall Courſe to make the ſaids Acts and Proclamations effectuall, and Act nineth *October* one thouſand ſix hundred nyntie ſix ; As alſo all Proclamations of Council for the ends foreſaid, and particularly the Proclamation anent the Poor, of the date the third day of *March* laſt bypaſt, and the other Proclamations therein mentioned ; And Ordains the ſaids whole Acts of Parliament, and Proclamations with the Alterations only after-mentioned, and ſuch others as ſhall be found neceſſary to make the ſame effectuall, to be put to full and vigorous Execution in all points : And farder His Majeſty, for the better and more effectual Execution of the foreſaid Acts and Proclamations, with Advice and conſent foreſaid, Impowers and Authorizes the Lords of His Majeſties Privy Council, to grant Commiſſions one or moe

to

to certain perſons to be Superviſers and Inſpectors of the Poor, either in particular Shires and Burghs, or over the whole Kingdom, with Power to the ſaids Commiſſioners to cauſe put the ſaids Laws and Acts of Parliament in Execution, and particularly to cauſe the Perſons therein intruſted to do and performe their parts according as they are thereby enjoyned: As alſo, to cauſe the Burgh obliged to build Correction Houſes by the the foreſaid Act of Parliament one thouſand ſix hundred ſeventy two, and proclamation in *March* laſt to build them betwixt and ſuch Days, and in ſuch Order as they ſhall think fit, and as the ſaids *Burghs* are able to bear the ſame, notwithſtanding the days named in the ſaid Act and proclamation, and generally the ſaids Lords of His Majeſties Privy Council; to make and emit ſuch Acts and Conſtitutions not inconſiſtent with the ſtanding Laws as ſhall be thought neceſſary for the more ſure imploying and maintaining of the poor and freeing of the Countrey of Vagabounds and Idle *Beggars*, and which Acts and Conſtitutions ſhall only continue till the next Seſſion of parliament; And the Eſtates of parliament, do again humbly recommend to His Majeſty, to cauſe viſit all Hoſpitals and their Rents, Rights and Foundations, conforme to the Recommendation contained in the foreſaid Act of parliament one thouſand ſix hundred nyntie ſix. And laſtly it is declared, that the Correction Houſe ordained to be built at *Dunce* is to be built at *Greenlaw*, which is now declared to be the Head-*Burgh* of the Shire of *Berwick*.

XXII.

ACT againſt perſonal Protections

September 1. 1698.

OUR SOVERAIGN LORD the King's MAJESTY, with Advice and Conſent of the Eſtates of Parliament, *Statutes* and *Ordains*, that no Protection to be granted hereafter ſhal take effect to hinder any Creditor from uſing perſonal Diligence againſt the Debitor, where the Creditor was not cited upon fifteen days, to give in Objections, why the Protection ſhould not paſs: *And* where Creditors are cited to the granting of Protections, that their Names and Deſignations be particularly ſet down in the Protection: *It is likeways Statute and Ordained*, That all Protections to be granted in Parliament, ſhal bear to be granted by the King, with Advice and Conſent of the Eſtates of Parliament, otherways to be Void and Null, but prejudice to the Lords of His Majeſties Council, Seſſion and Exchequer; And the Commiſſioners of Juſticiary to grant Protections conform to the Power reſerved to them by the Act of Parliament one thouſand ſix hundred eighty on *Againſt*

perſonal protections, and in the terms thereof allenarly. *Likeas*, His Majeſty with Advice and Conſent foreſaid, *Statute* and *Ordain*, that hereafter no perſon during the currency of, & till he renounce the benefit of his Protection, ſhall be capable to Choiſe, or be Choſen a Member of Parliament.

XXIII.

ACT anent the Exciſe of Brandy.

September 1. 1698.

OUR SOVERAIGN LORD Conſidering, that the uplifting of the Annexed Exciſe of ſix Shilling *per* Pint on the Brandy from the Retailer, is the Occaſion of great and many Inconveniencies, and that albeit the ſaid Exciſe be lately ſet, with the Annexed Exciſe of Three pennies *per* Pint on Ale and drinking Beer, yet the Tackſmen are willing, and conſent that the ſaid Exciſe of ſix Shilling *per* Pint be diſcharged as to the Retailer, and in lieu thereof, Two Shilling *per* Pint laid on the Importer at the Import, which may be both more profitable to his Majeſty, and Eaſe to the Leidges. *Therefore*, His Majeſty with Advice and Conſent of the Eſtates of Parliament, hath diſcharged, and hereby diſcharges, from the firſt day of *March* next to come, the ſaid ſix Shilling *per* Pint on Brandy, impoſed on the Retailer, and in lieu thereof, impoſes the ſaid Exciſe on Brandy at the rate of two Shilling *per* Pint on the Importer at the Import, to be uplifted at the ſame time, and in the ſame manner with His Majeſties Cuſtoms: *Declaring* nevertheleſs, that this Diſcharge of the ſaid ſix Shilling *per* Pint, and Impoſition of two Shilling *per* Pint, and Commutation from the Retailer to the Importer above-mentioned, ſhall only continue for the ſpace of the ſaid Tack, and during the five years for which the ſame is ſet, and longer, as His Majeſty ſhall pleaſe to determine, and no otherways. And the Eſtates of Parliament do humbly remit to His Majeſties Option, to make choiſe for thereafter, either of the ſaid ſix ſhilling *per* Pint on Brandie, to be payed by the Retailer, or two ſhilling *per* Pint to be payed by the Importer, in either of which Caſes the ſaid Exciſe on Brandy is to remain annexed to the Crown as formerly.

XXIV.

XXIV.

ACT For the Encouragement of White-fiſhing and Herring-fiſhing:

September 1. 1698.

OUR SOVERAIGN LORD, conſidering, that Merchants and others who imploy their Stock upon the Trade of Fiſhing have not received the Encouragement granted them by the thirty fourt Act ſecond Seſſion of this parliament in getting due payment of ten pound four ſhilling *Scots* from the Cuſtomers of His Majeſties Cuſtoms by way of draw-back for each Laſt of Herrings and White-fiſh exported out of this Kingdom: *Therefore* His Majeſty with Advice and conſent of the Eſtates of Parliament, *Does Statute* and Ordain, that in all time coming the Tax-men or Collectors of His Majeſties Cuſtomes and Forraign Exciſe, ſhall pay to the Merchants Exporters of all Herrings & White-fiſh that they ſhall export out of this Kingdom, or take at Sea by Buſhes or other Veſſels and export immediatly without being put a ſhoar, the Soum of ten pound four ſhilling *Scots* for each Laſt of Herrings or White fiſh ſo exported, and that immediatly upon the Merchant Exporter their producing (at the Cuſtom Houſe where they reſide) a Bill of Loadning for the Quantity they have exported, together with a Certificat of the Depoſitions duely taken before any inferior Judge, of any two of thoſe that cured the ſaid Herrings or White-fiſh, that they were all truly and Loyally cured with Forraign great Salt, and in caſe of the Collectors refuſal of payment upon Production of the ſaid Bill of Loadning and Certificat of Depoſitions, then it ſhall be leiſum to the Merchant Exporter to purſue them before any inferior Judge for the ſaid ten pound four Shilling *per* Laſt, and that no Advocation be given of any ſuch Proceſs or Suſpenſion of Decreets thereon ſhall paſs except on payment & a *Diſcharge* produced: And His Majeſty with Advice and Conſent foreſaid, Statutes & Declares, that all Materials proper and Imported for the Buſh-fiſhing ſhall be free of all Cuſtom and Exciſe at their Import, and that the ſaid Buſh-fiſhers exporting from Sea as ſaid is, ſhall be allowed to prove the Quantity exported and the loyal Cureing after their return from Abroad before any Judge competent, to the effect they may have the benefit of the ſaid Allowance as the ſame ſhall be found due.

XXV.

ACT Continueing the Pole

September 1. 1698.

OUR SOVERAIGN LORD Conſidering, that the Impoſition of a pole granted by the Act of the day of *Auguſt* of this parliament, will not be ſufficient for the ends therein-mentioned; Doth therefore with Advice and Conſent of the Eſtates of parliament, add to the foreſaid Impoſition, a further Impoſition of the like pole, mentioned in the ſaid Act of pole, for a ſecond year, in its ſeveral Claſſes; and for the ends, and in the Terms ſpecified in the ſaid Act: And Ordains the Stateing, Uplifting, payment and Application of this ſecond years pole, to be in all reſpects the ſame as for the ſaid firſt pole, the Year, and Terms of Meetings and payments only changed. And His Majeſty with Advice foreſaid, doth hereby expreſly Burden this ſecond pole, with the payment in the firſt place preferable to all others of the Cloathing-Money due to the Officers, who were in Service preceeding the year One thouand ſix hundred nyntie one, in ſo far as the ſame ſhall be found to be ſtill reſting unpayed: And alſo of what ſhall be found due to *patrick Hepburn* as Chyrurgeon to the Lord *Strathnavers* and *Grants* Regiments in that time, either upon the account of Droggs, or Service, as the Lords of Theſaury ſhall determine.

XXVI.

ACT *And Remit to the Commiſſion of the Pole.*

September 1. 1698.

OUR SOVERAIGN LORD, and the Eſtates of Parliament, remit the Petitiones of the Old and New-Tackſmen of the Pole impoſed in the year one thouſand ſix hundred ninety three, & of the Officers and Queries TO the Commiſſion of the ſaid Pole, all to be determined by them, with a Parliamentary Power betwixt and the firſt day of *March* next, and declares, that the Members of the

the said Commission shall not be lyable for what they shall determine; And recommends to His Majesty to Supplie the Vacancies.

XXVII.

ACT *Salvo Jure Cujuslibet.*

September 1. 1698.

OUR SOVERAIGN LORD taking to Consideration, that there are several Acts of Ratifications and others past and made in this Session of Parliament, in favours of particular Persons, without calling or hearing of such as may be thereby concerned or prejudged: *Therefore* His Majesty with Advice and Consent of the Estates of parliament, *Statuts* and *Ordains*, that all such particular Acts, and Acts of Ratifications past in manner foresaid, shall not prejudge any third party of their lawful Rights, nor of their Actions and Defences competent thereupon, before the making of the saids particular Acts and Acts of Ratifications; And that the Lords of Session, and all other Judges of this Kingdom shall be obliged to Judge betwixt parties according to their several Rights, standing in their persons before the making of the saids Acts; All which are hereby expounded and declared to have been made *Salvo Jure Cujuslibet.*

XXVIII.

ACT Of Adjournment.

September 1. 1698.

THE KING's MAJESTY, *Declares* this Parliament current, and Adjourns the same to the fifteenth Day of *November* next *Ordaining* all Members of Parliament, Noblemen, Commissioners from Shires and Burghs, and all others having Interest, to attend at *Edinburgh* that day, at ten aClock, & that there be no new Elections in Shires or Burghs, except upon the Death of any of the present Commissioners.

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